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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

TESSERA, INC.,

Plaintiff,

v.

ADVANCED MICRO DEVICES, INC.,
et al.,

Defendants.

Case No. C05-04063 CW (EDL)

**STIPULATION AND
~~PROPOSED~~ ORDER TO
MODIFY DEADLINE TO
EXCHANGE PATENT LOCAL
RULE 4-2 DISCLOSURES**

AND RELATED COUNTERCLAIMS

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STIPULATION

Defendants Advanced Micro Devices, Inc., Spansion Inc., Spansion Technology Inc., Spansion LLC, Advanced Semiconductor Engineering, Inc., ASE (U.S.) Inc., ChipMOS Technologies Inc., ChipMOS U.S.A., Inc., Siliconware Precision Industries Co., Ltd., Siliconware, USA Inc., STMicroelectronics N.V., STMicroelectronics, Inc., Stats ChipPAC Ltd., Stats ChipPAC, Inc. and Stats ChipPAC (BVI) Limited (collectively, “Defendants”), and Plaintiff Tessera, Inc. (“Tessera”) hereby stipulate as follows:

WHEREAS, the Court’s June 23, 2006 Order (Document 142, Order on Defendants’ Motion to Strike Tessera’s Patent Local Rule 3-1 Initial Disclosures; Defendants’ Production of Documents; and Tessera’s Motion to Seal), states, in paragraph 4, that no later than ten (10) days after Defendants serve their Preliminary Invalidity Contentions, the parties shall exchange their Proposed Terms and Claim Elements for Construction pursuant to Patent L.R. 4-1;

WHEREAS, the Court’s June 23, 2006 Order also states, in paragraph 5, that no later than twenty (20) days after the parties exchange their Proposed Terms and Claim Elements for Construction pursuant to Patent L.R. 4-1, the parties shall exchange their Preliminary Claim Constructions and Extrinsic Evidence pursuant to Patent L.R. 4-2;

WHEREAS, Defendants served their Preliminary Invalidity Contentions on August 29, 2006; their Proposed Terms and Claim Elements for Construction on September 13, 2006; and their Amended Proposed Terms and Claim Elements for Construction on September 14, 2006;

WHEREAS, on September 18, 2006, Tessera provided a letter to Defendants stating that there are no claim terms, phrases, or clauses that Tessera believes should be construed by the Court that were not already listed amongst Defendants’ Amended Proposed Terms and Claim Elements for Construction;

WHEREAS, Defendants seek additional time to meet and confer with Tessera for the purposes of finalizing, narrowing, or resolving differences regarding their Proposed Terms and Claim Elements for Construction, pursuant to Patent L.R. 4-1(b); and

THEREFORE, Defendants and Tessera hereby notify the Court pursuant to Civ. L.R. 6-2 that they request the following modifications to the Court’s June 23, 2006 Order:

1 1. Defendants shall provide to Tessera their Revised Proposed Terms and Claim
2 Elements for Construction on October 11, 2006. Tessera shall inform Defendants of any
3 additional Proposed Terms and Claim Elements for Construction by October 13, 2006.

4 2. Defendants and Tessera shall exchange their Preliminary Claim Constructions and
5 Extrinsic Evidence, pursuant to Patent L.R. 4-2(a)-(b), by October 23, 2006 or at an earlier date to
6 be determined by agreement of the parties.

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8
9 Dated: October 9, 2006

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12 By: _____
Hsiang H. Lin /s/
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15 Dated: October 9, 2006

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22 Dated: October 9, 2006

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TESSERA, INC.

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 11, 2006


HONORABLE ELIZABETH D. LAPORTE

SIGNATURE ATTESTATION

I hereby attest that I have on file all holograph signatures and/or written concurrences for any signature indicated by a “conformed” signature (/s/) within this efiled document.

Hsiang H. Lin /s/
Hsiang H. Lin

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